

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SYDNEY RHONE,

Plaintiff,

v.

Case No. 13-13400

HONORABLE TERRENCE G. BERG

WAYNE COUNTY

PROSECUTOR'S OFFICE, et. al.,

Defendants.

**ORDER DENYING PLAINTIFF'S MOTION TO STOP RETALITIATION ON
MOOTNESS GROUNDS (DKT. 18)**

Plaintiff Sydney Rhone, a/k/a Edward Rhone, presently confined at the Michigan Reformatory in Ionia, Michigan, filed a *pro se* civil rights complaint pursuant to 42 U.S.C. § 1983 back in 2013, while he was a pre-trial detainee incarcerated at the Wayne County Jail in Detroit, Michigan.¹ The Court dismissed the complaint without prejudice. *See Rhone v. Wayne County Prosecutor's Office*, No. 13-13400, 2013 WL 5775475 (E.D. Mich. October 25, 2013). The Court subsequently dismissed plaintiff's amended complaint on similar grounds. *See Rhone v. Wayne County Prosecutor's Office*, No. 13-13400 (E.D. Mich. November 26, 2013). The Sixth Circuit affirmed the Court's summary dismissal of the complaint.

¹ The Court obtained the information concerning Plaintiff's current place of incarceration from the Michigan Department of Corrections' Offender Tracking Information System (OTIS), of which this Court is permitted to take judicial notice. *See Ward v. Wolfenbarger*, 323 F. Supp. 2d 818, 821, n. 3 (E.D. Mich. 2004).

See Rhone v. Wayne County Prosecutor's Office, No. 13-2698 (6th Cir. Mar. 16, 2015).

Pending before the Court's docket is Plaintiff's motion to stop retaliation. For the reasons that follow, the motion is **DENIED AS MOOT**.

In his motion, Plaintiff asks the Court to issue an injunction against various deputies at the Wayne County Jail to prevent them from engaging in acts of retaliation against him for filing suit against the defendants.

Plaintiff's request for injunctive relief against the defendants or their employees at the Wayne County Jail is moot because plaintiff is no longer incarcerated at that facility. *See Kensu v. Haigh*, 87 F. 3d 172, 175 (6th Cir. 1996).

Accordingly, the motion to stop retaliation (Dkt. 18) is **DENIED AS MOOT**.
SO ORDERED.

Dated: April 27, 2015

s/Terrence G. Berg
TERRENCE G. BERG
UNITED STATES DISTRICT JUDGE

Certificate of Service

I hereby certify that this Order was electronically submitted on April 27, 2015, using the CM/ECF system; a copy of this Order was also mailed to the Michigan Reformatory, 1342 W. Main, Ionia, MI 48846, directed to Petitioner's attention.

s/A. Chubb
Case Manager